

**Title 2—DEPARTMENT OF  
AGRICULTURE  
Division 70—Plant Industries  
Chapter 35—Seed Regulation**

**PROPOSED AMENDMENT**

**2 CSR 70-35.010 Definitions.** The division is amending the rule purpose and sections (1)-(2).

*PURPOSE: This amendment updates names of plants that produce noxious weed seeds and clarifies what seed is subject to regulation.*

*PURPOSE: This rule designates what plants' seeds are agricultural [(crop)] seeds for labeling purposes and also designates restricted weed[s'] seeds. Both agricultural [(crop)] seed and restricted weed[s'] seeds content must be declared on the label to comply with the statute, but the seed of plants making up these lists are not specified by statute.*

(1) Agricultural Seeds. Agricultural [crop] seeds will be those listed as agricultural seeds in the Federal Seed Act, 7 CFR Section 201.2([L]h), January (1976).

(2) Restricted Weed[s'] Seeds.

(A) Prohibited Weed[s'] Seeds. The seeds of **the following** plants: balloon vine (*Cardiospermum halicacubum*), Canada thistle (*Cirsium arvense*), field bindweed (*Convolvulus arvensis*), Johnson grass (*Sorghum halepense*), musk thistle (*Carduus nutans*), serrated tussock (*Nassella trichotoma*) and sorghum alnum (*Sorghum alnum*).

(B) Noxious Weed[s'] Seeds. The seeds of **the following** plants: **plants** commonly known as docks of the [(*Rumex species*)] (red sorrel, curly dock, etc.), dodders (*Cuscuta species*), buckhorn (*Plantago lanceolata*), eastern black night-shade (*Solanum ptycanthum*), giant foxtail (*Setaria faberi*), hedge bindweed (*Convolvulus sepium*), leafy spurge (*Euphorbia esula*), hoary cress (*Cardaria draba*), purple moon[ ]flower ([*Calonyction muricatum*]***Ipomoea muricata***), quackgrass ([*Agropyron*]***Elymus repens***), Russian thistle (*Salsola pestifer*), slender oats (*Avena barbata*), wild garlic (*Allium vineale*), wild oats (*Avena fatua*), wild onion (*Allium canadense*) and yellow star thistle (*Centaurea solstitialis*) are designated as noxious and are subject to listing on seed labels according to the requirements of the Missouri Seed Law, sections 266.[021]**011 to 266.111**, RSMo[ (1986)].

*AUTHORITY: section 266.091, RSMo 1986.\* Original rule filed June 6, 1952, effective June 16, 1952. Amended: Filed Dec. 23, 1975, effective Jan. 2, 1976. Amended: Filed June 14, 1977, effective Sept. 11, 1977. Rescinded and readopted: Filed Sept. 28, 1979, effective March 13, 1980. Amended: Filed Jan. 17, 1986, effective May 1, 1986. Emergency amendment filed Feb. 1, 1989, effective Feb. 11, 1989, expired June 11, 1989. Amended: Filed March 1, 1989, effective June 12, 1989. Amended: Filed Sept. 16, 1991, effective Jan. 13, 1992.*

*\*Original authority: 266.091, RSMo 1951, amended 1957, 1978, 1979, 1993, 1995.*

*PUBLIC COST: This proposed amendment will not cost public entities more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, ATTN: John Brunnert, PO Box 630, 1616 Missouri Boulevard, Jefferson City, MO 65102, or online at [Agriculture.Mo.Gov/proposed-rules/](http://Agriculture.Mo.Gov/proposed-rules/). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*